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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/079,843	02/22/2002	Daniel J. Plankenhorn	J-3133	7561
28165	7590	03/10/2004		
S.C. JOHNSON & SON, INC. 1525 HOWE STREET RACINE, WI 53403-2236				
EXAMINER				
SNIDER, THERESA T				
ART UNIT		PAPER NUMBER		
1744				

DATE MAILED: 03/10/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/079,843

Applicant(s)

PLANKENHORN, DANIEL J.

Examiner

Theresa T. Snider

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-73 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 29 and 58 is/are allowed.
- 6) ☒ Claim(s) 1-28, 30-57 and 59-73 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 February 2002 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

DETAILED ACTION

Drawings

1. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: 810(page 10, line 2).

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

2. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference character "1106" has been used to designate both platen(page 12, line 2) and stationary surface(page 12, line 3). A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Objections

3. Claims 59 and 71 are objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form. Claim 59 recites the same limitation as claim 58, line 6. Claim 71 recites the same limitation as claim 65.

4. Claim 57 is objected to because of the following informalities: 'oppoite' should be replaced with 'opposite'. Appropriate correction is required.

Claim Rejections - 35 USC § 112

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. Claims 1-28, 30-57 and 59-73 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Exemplary of such:

Claim 1, line 7, it is unclear as to what is meant by 'formed by a configuration of the cleaning ribbon'.

Claims 2, 4-28, 30-57, 59-66 and 68-73, line 1, 'A' should be replaced with 'The'.

Claim 2, line 2, 'apparatus' should be replaced with the appropriate element that is said to comprise it; (housing ??)

Claim 3, line 9, it is unclear as to what is meant by 'formed by a configuration of the cleaning ribbon'.

Claim 5, line 2, should 'debris' be replaced with 'particles' to correspond with claim 3, line 10?

Claims 16 and 20-24, line 2, 'cleaning apparatus' should be replaced with the appropriate element that is said to comprise it; (housing ??).

Claim 22, line 2, 'the surface' should be replaced with 'a surface'.

Claim 26, line 2, should 'debris' be replaced with 'particles' to correspond with claim 3, line 10?

Claim 27, line 3, 'the' should be replaced with 'a'.

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Claim 28, line 3, 'that side of the cleaning ribbon collecting foreign particles' lacks proper antecedent basis.

Claim 41, line 1, it is unclear as to what is meant by 'for that'.

Claim 43, line 2, 'the platen' lacks proper antecedent basis.

Claim 44, line 1, 'the platen' lacks proper antecedent basis.

Claims 51-52, line 2, 'cleaning apparatus' should be replaced with the appropriate element that is said to comprise it; (housing ??).

Claim 55, line 2, 'the particle trap' lacks proper antecedent basis.

Claim 57, line 2, 'the particle trap' lacks proper antecedent basis;

Line 3, 'the side of the cleaning ribbon that collects debris' lacks proper antecedent basis.

Claims 65 and 71, line 2, it is unclear as to what is meant by 'for reducing the width of the supply reel'.

Claims 66 and 72, line 2, it is unclear as to what is meant by 'for reducing the width of the take-up reel'.

Claims 72-73, 'cleaning apparatus' should be replaced with 'cartridge'.

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

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8. Claim 67 is rejected under 35 U.S.C. 102(b) as being clearly anticipated by Hester.

Hester discloses a cartridge with a supply and a take-up reel (col. 2, lines 33-35).

Hester discloses a cleaning ribbon extending between the reels (col. 2, lines 14-15).

Hester discloses a means for detachably securing the cartridge to a cleaning apparatus (col. 2, lines 29-33 and 51-55).

9. Claim 67 rejected under 35 U.S.C. 102(b) as being clearly anticipated by Silvenis.

Silvenis discloses a cartridge with a supply and a take-up reel (fig. 3, #18,26,30).

Silvenis discloses a cleaning ribbon extending between the reels (fig. 3, #22).

Silvenis discloses a means for detachably securing the cartridge to a cleaning apparatus (fig. 2).

Allowable Subject Matter

10. Claims 29 and 58 are allowed.

11. Claims 1 and 3 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action.

12. Claims 2, 4-28, 30-57, 59-66 and 68-73 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

13. The following is a statement of reasons for the indication of allowable subject matter: the prior art discloses a cleaning apparatus having a housing, two reels with an endless cleaning ribbon extending there between wherein a suction source located proximate the ribbon keeps it

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'fresh' and a rotatable brush HOWEVER fails to disclose or fairly suggest the two reels being a supply and a take-up reel. The prior art discloses a cleaning apparatus having a housing, a supply and a take-up reel with an endless cleaning ribbon extending there between and a rotatable brush HOWEVER fails to disclose or fairly suggest the brush being able to sweep debris into a particle trap formed by the cleaning ribbon. The prior art discloses a cartridge for detachable securement to a cleaning apparatus having a supply reel, a take-up reel, a cleaning ribbon extending between the reels and means for detachably securing the cartridge to a cleaning apparatus HOWEVER fails to disclose or fairly suggest means for sweeping debris into a particle trap formed by the ribbon OR the securing means being at least an aperture within the cartridge and at least one protrusion within the cleaning apparatus OR the cleaning ribbon wound on the supply reel for reducing the width of the supply reel.

Conclusion

14. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Parisi discloses a cleaning apparatus with a rotatable brush and take-up and supply reels with a cleaning ribbon extending there between. Mitchell discloses an apparatus with a take-up and a supply reel. Korski et al. discloses a cleaning apparatus with a rotatable brush and an endless belt spanning two reels.

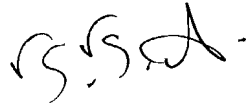
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Theresa T. Snider whose telephone number is (571) 272-1277. The examiner can normally be reached on Monday-Wednesday-Friday (6:30AM-3:00PM).

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert J. Warden can be reached on (571) 272-1281. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

03/03/2004



Theresa T. Snider
Primary Examiner
Art Unit 1744